

Native Women's Association of Canada

"Knowledge to Action" Day



Ottawa, Ontario

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Introduction

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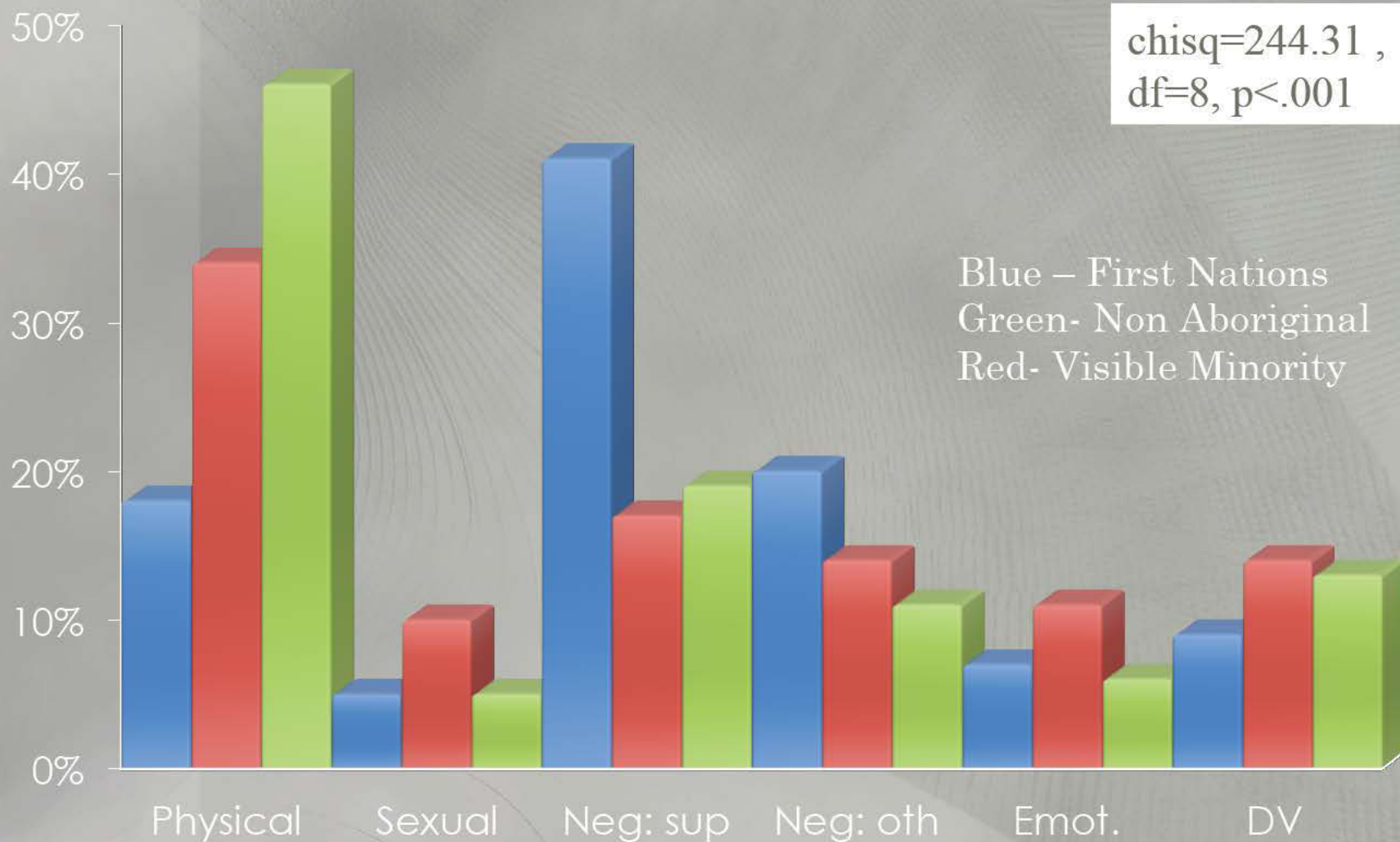
Overview

- **What is driving the higher rates of Aboriginal children in the child welfare system**
- **Impacts of Child Welfare on First Nations**
- **Discrimination and Funding Implications**
- **Update on the Canadian Human Rights Tribunal Hearings**
- **Jumping Through Hoops Manitoba study**
- **Natural Cycles – 13 moons in the face of mother loss for children**
- **Gaps in the Research on mother loss among Aboriginal children / youth**
- **Recommendations**



There are more First Nations children in child welfare care today than at the height of residential school operations – by a factor of three

PRIMARY FORM OF MALTREATMENT BY ABORIGINAL STATUS FOR
SUBSTANTIATED OR SUSPECTED MALTREATMENT 1998 CIS* (N=3,159)



First Nations children are not more likely to experience abuse – it is neglect that fuels over representation related to...



First Nations resp
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Auditor General
on Aboriginal Ch
Protection Servic

▶ May 6th,
Summit
[160

▶ Link to Canada
AG Report



WHY MANY INTERVENTIONS MISS THE MARK

Do not address structural issues – are individual focused

- Do not address the cause of the risk – only the symptom

Are not driven by the Aboriginal community

- Thus reducing efficacy and increasing risk of cultural irrelevance





How government funding inequalities creates a perfect storm of disadvantage for First Nations children and families

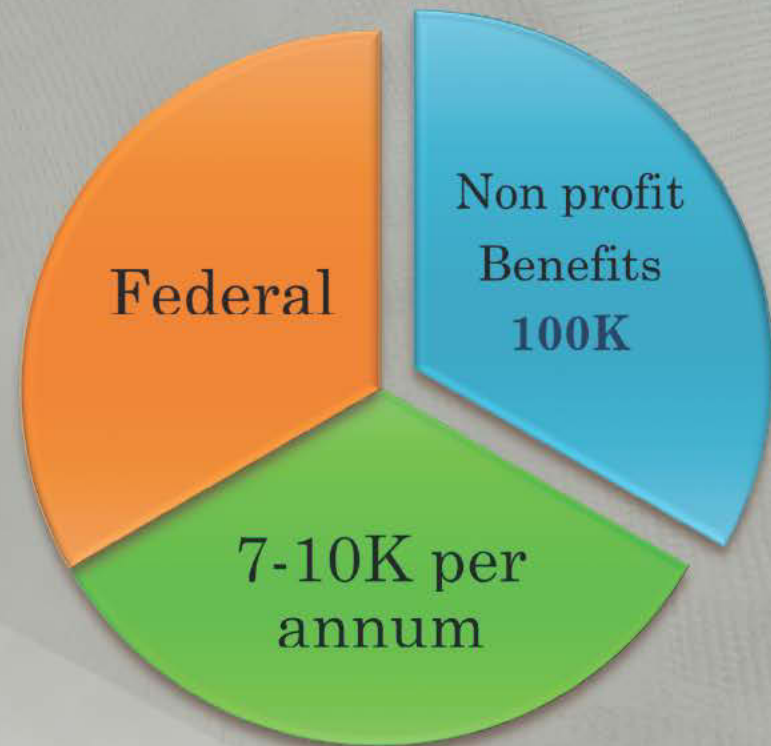
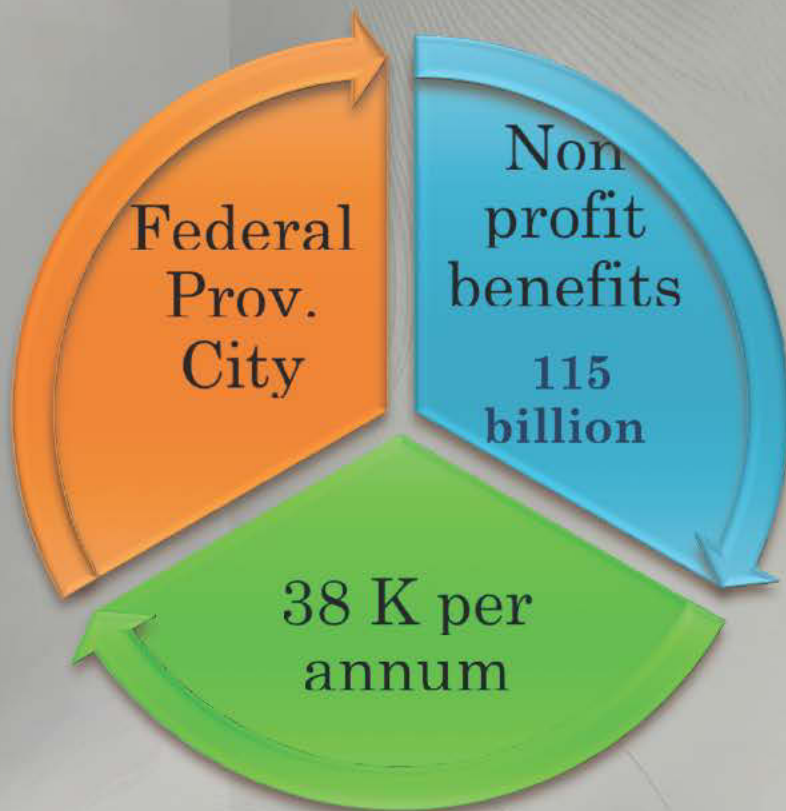
PROVINCIAL GOVERNMENTS FUNDS CHILD WELFARE SERVICES IN TWO WAYS

- **Direct services – such as child protection workers and offices**
- **Government provides contracts/ grants to voluntary sector organizations to deliver services to children and families.**

Gaps in child and family support

NON ABORIGINAL

FIRST NATIONS



First Nations Child Welfare Funding On Reserves



- **Approx 22% less than what other children receive.**
- **Two evidence based solutions remain unimplemented**
- **Inequity affirmed by the Auditor General (2008) and Standing Committee on Public Accounts (2009)**
- **September 14, 2009, Canada to appear before the Canadian Human Rights Tribunal to account for under funding**



Help him make his dream come true

First Nations children on reserve receive 2 to 3 thousand dollars LESS a year for primary and secondary education than other children – no wonder only four in ten First Nations children graduate from high school



In February of 2007, AFN and FN Caring Society took action and filed a human rights complaint with the Canadian Human Rights Commission alleging INAC consciously underfunds FN child welfare on reserves resulting in growing numbers of FN children going into child welfare care.

GOVERNMENT OF CANADA POSITION

Funding is not a service

- The CHRA covers discrimination on services, goods, or accommodation
- INAC says funding is not a service therefore CHRA should not apply
- We must demonstrate high degree of control INAC has over FNCFSA

Equity and Comparator

- INAC says funding arrangements are equitable but offer no evidence to back their claim
- INAC says there is no comparator to FN on reserves therefore no discrimination
- Need to prove AB funding not equitable (as AOG has already found) and comparator is non-Aboriginal children in AB

FIRST NATIONS POSITIONS

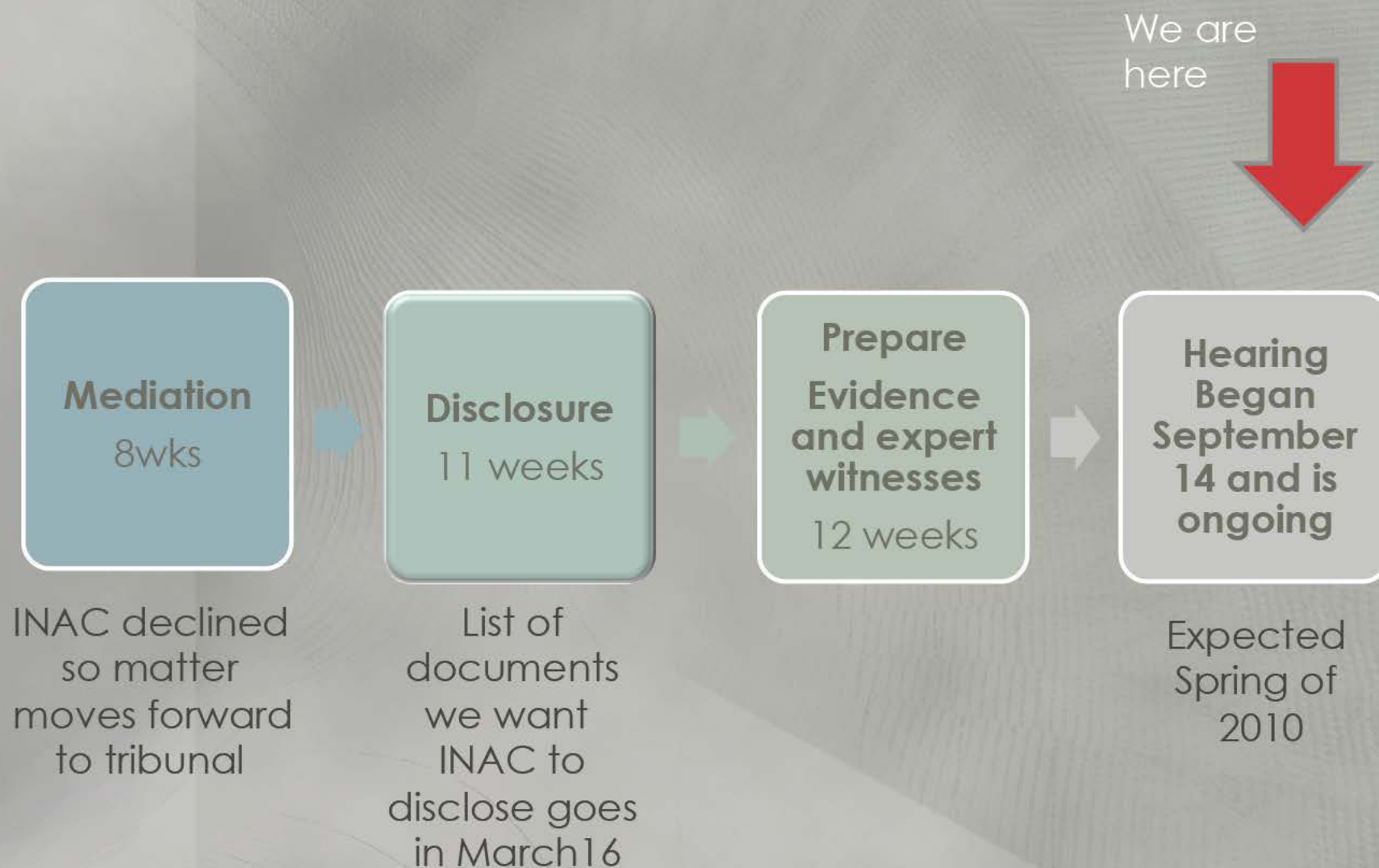
Funding is a Service

- INAC exercises significant control/ monitoring over CFS funding in ways that affect practice
- INAC has funding services officers
- INAC directly involved in child welfare policy (ie new outcomes project)

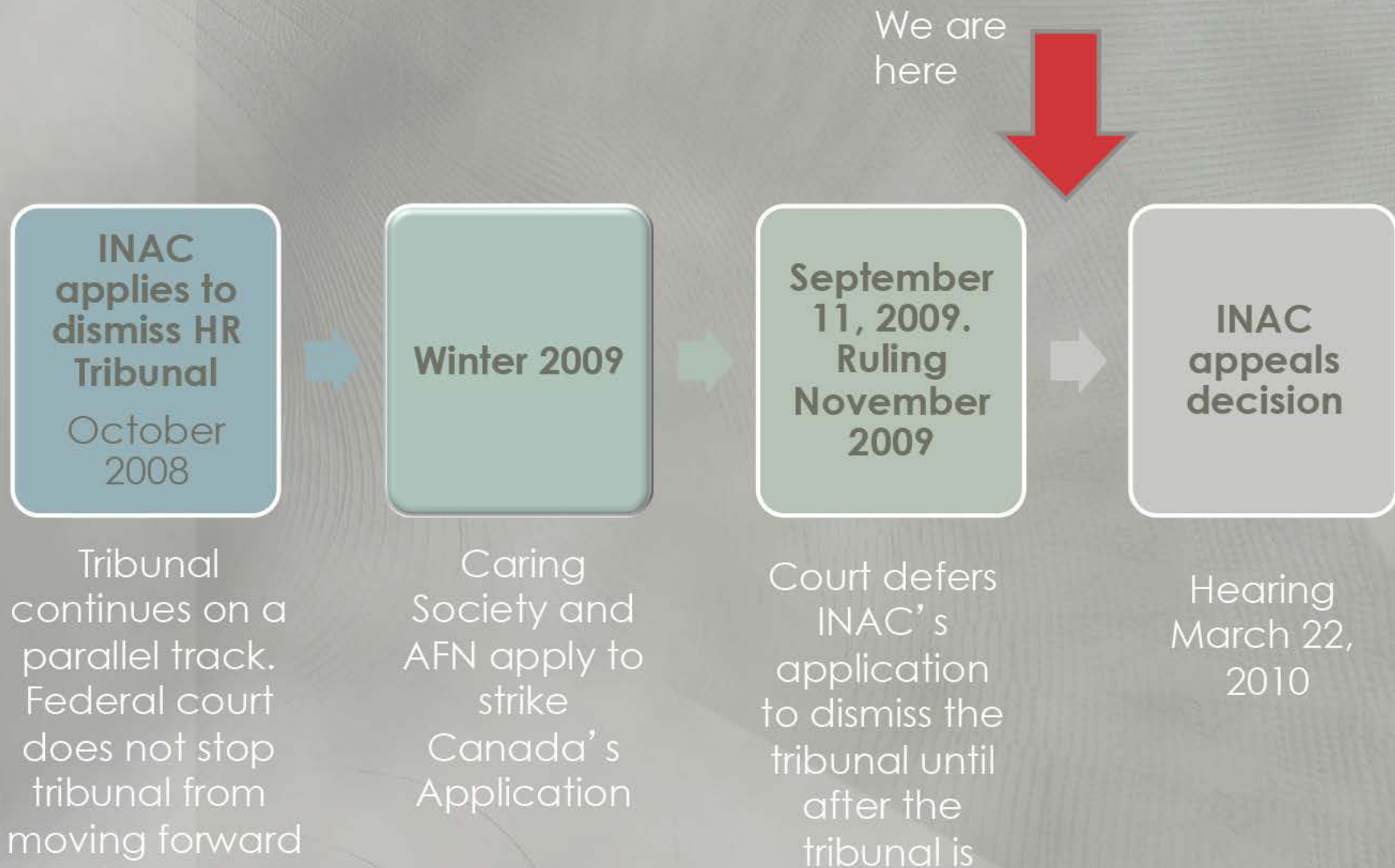
Inequity and Comparator

- Expert reports, AOG and Standing Committee all found Enhanced Funding and directive not equitable
- Funding not tied to community needs
- Child welfare is statutory therefore comparator is other children
- INAC even funds FN children differentially

HUMAN RIGHTS TRIBUNAL PROCESS



FEDERAL COURT PROCESS



IMPLICATIONS

- **Should equality in government services be usurped by legal technicalities?**
- **If Canada wins then what mechanisms are available to deal with government funding inequalities?**
- **If FN kids win – precedent for equality across government services**



Canadian Government Held To Account For Discriminatory Child Welfare Funding

- **Canadian Human Rights Tribunal started September 14, 2009**
- **Federal government trying to derail the tribunal on legal technicalities**
- **You can help – be a witness at fnwitness.ca**





Jumping Through Hoops:

Aboriginal Mothers and the Burden of
Child Welfare Involvement

- Mothers' voices missing regarding their experience with child welfare
- Majority of families headed by Aboriginal mothers
- Burden of child welfare involvement on the shoulders of Aboriginal women
- Intergeneration involvement



Jumping Through Hoops:

Aboriginal Mothers and the Burden of
Child Welfare Involvement

- **Treatment by staff within the system**
- **Challenges engaging the legal system to get them to advocate for them when dealing with child welfare**
- **Limitations of the Legal Aid system and funding**
- **Collusion between the child welfare and legal aid system**



Jumping Through Hoops:

Aboriginal Mothers and the Burden of
Child Welfare Involvement

- **Treatment by staff within the system**
- **Not allowed to show emotion**
- **Challenges engaging the legal system to get them to advocate for them when dealing with child welfare**
- **Limitations of the Legal Aid system and funding**
- **Collusion between the child welfare and legal aid system**



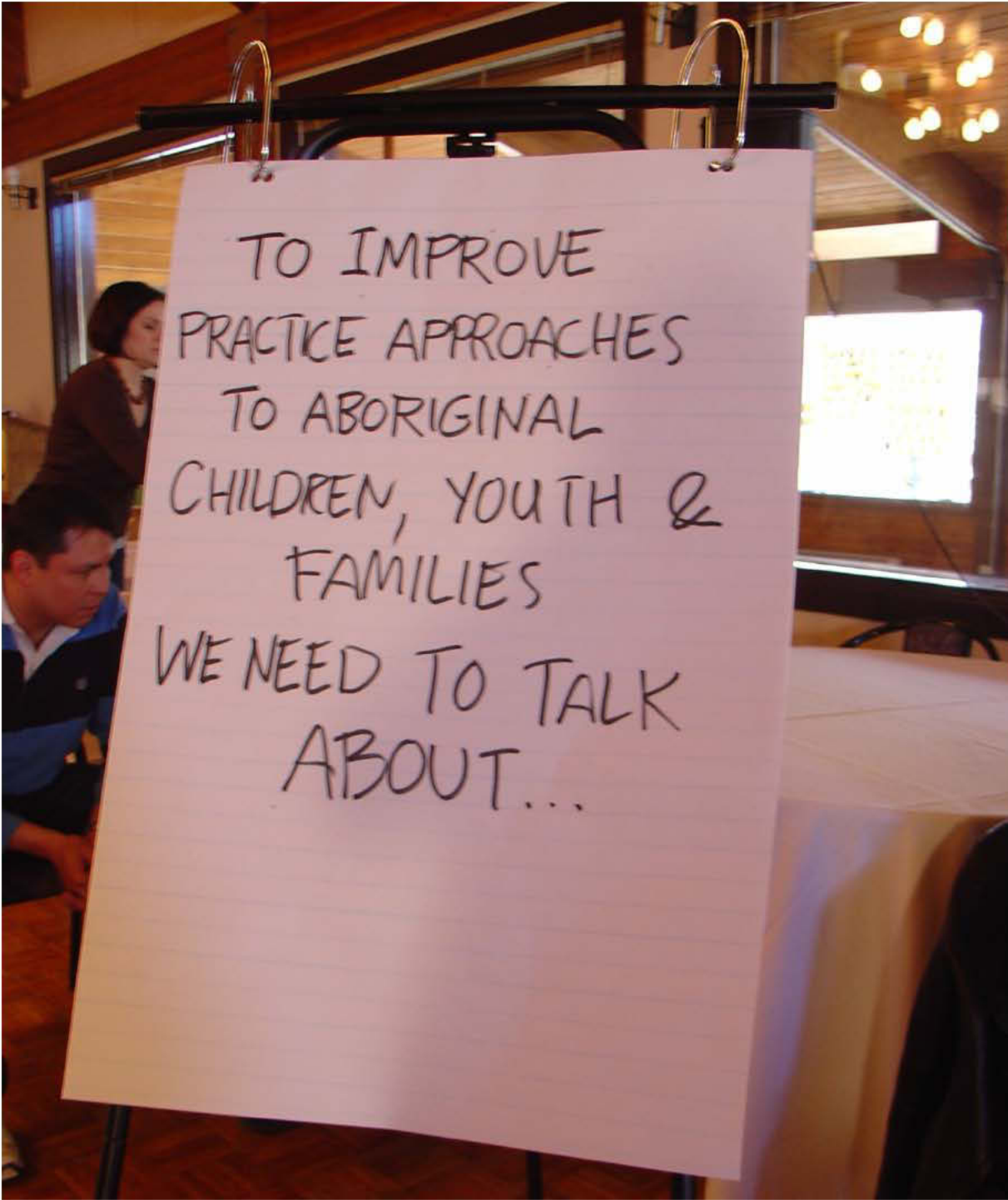
Jumping Through Hoops:

Aboriginal Mothers and the Burden of
Child Welfare Involvement

- **Mothers – cultural gatekeepers**
- **Recommendations – 7 made by the women involved in this study**

**The JUMPING THROUGH HOOPS
DOCUMENT can be downloaded
free from:**

**[http://www.fncaresociety.com/
projects/FNRS.html](http://www.fncaresociety.com/projects/FNRS.html)**



TO IMPROVE
PRACTICE APPROACHES
TO ABORIGINAL
CHILDREN, YOUTH &
FAMILIES
WE NEED TO TALK
ABOUT...

Protecting the sacredness of Aboriginal **motherhood** to ensure that the continued transmission of love, culture and traditional knowledge is rightfully passed onto our children, grandchildren and future generations

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But we can't do this without acknowledging the important role our **fathers** have in the lives of their children too!!

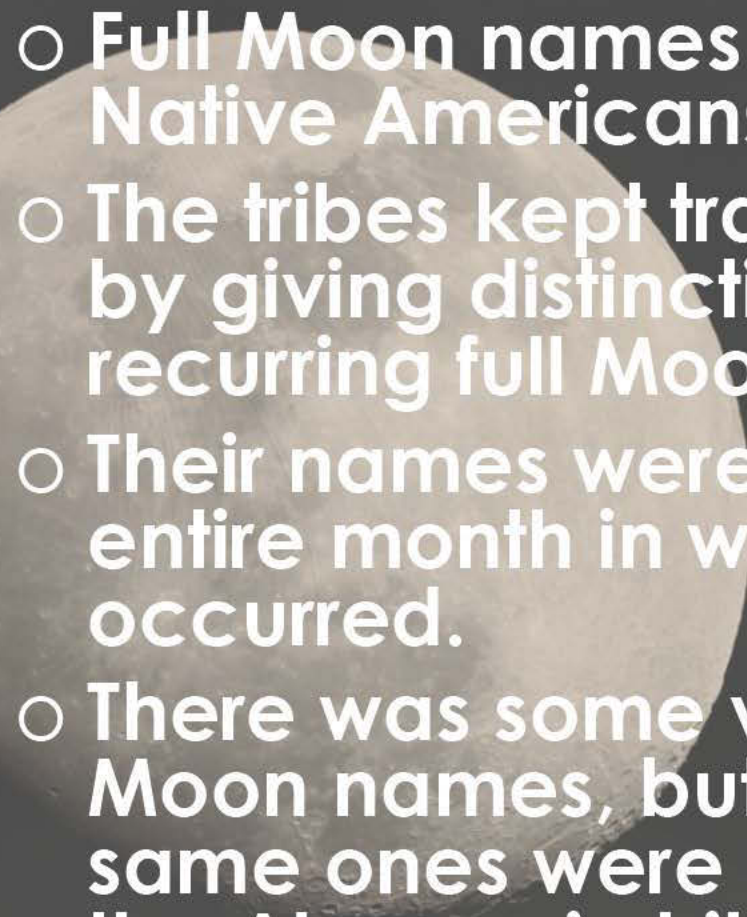
Natural Cycles in Nature and Women



Gaps in the Research



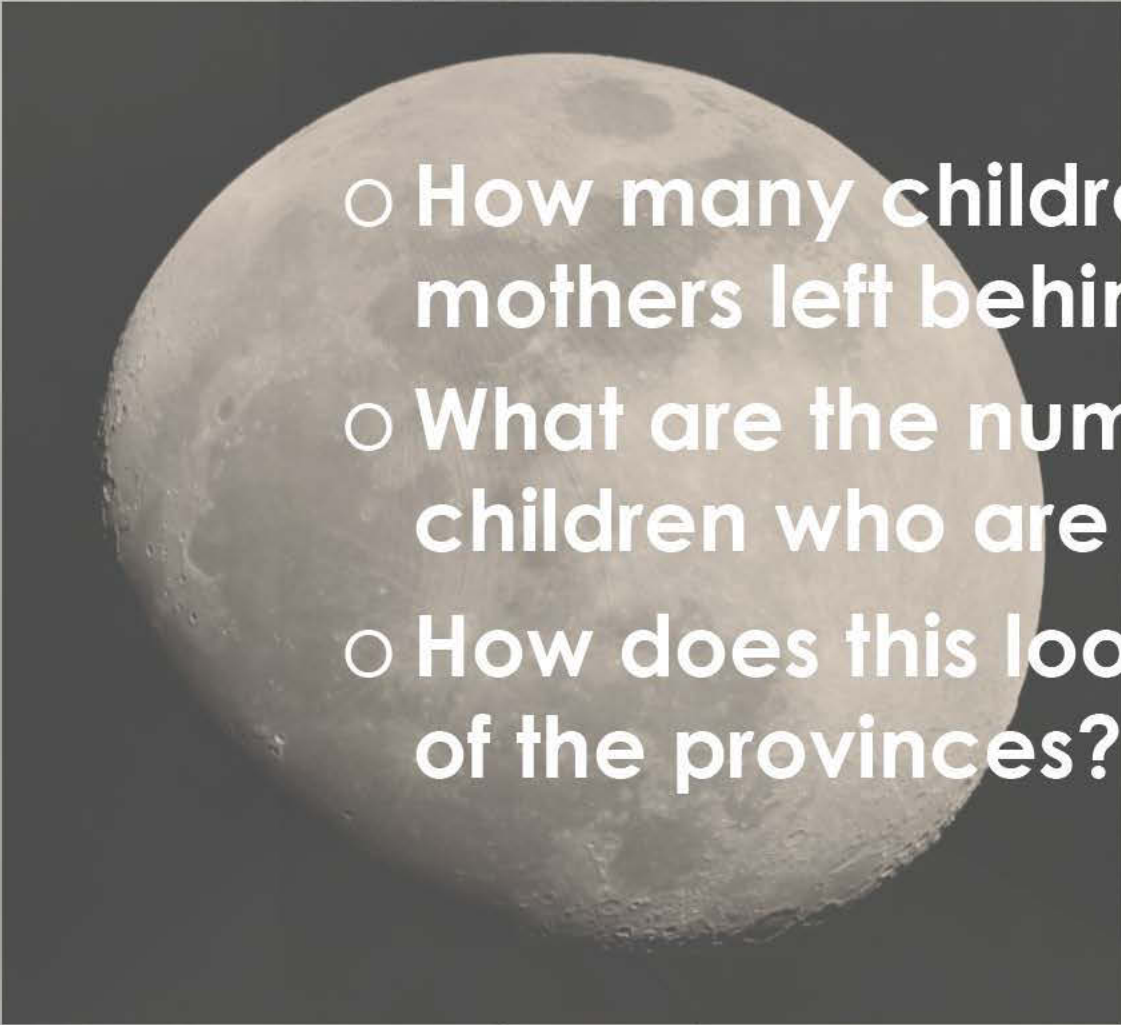
Full Moon Names

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- Full Moon names date back to Native Americans.
 - The tribes kept track of the seasons by giving distinctive names to each recurring full Moon.
 - Their names were applied to the entire month in which each occurred.
 - There was some variation in the Moon names, but in general, the same ones were current throughout the Algonquin tribes.

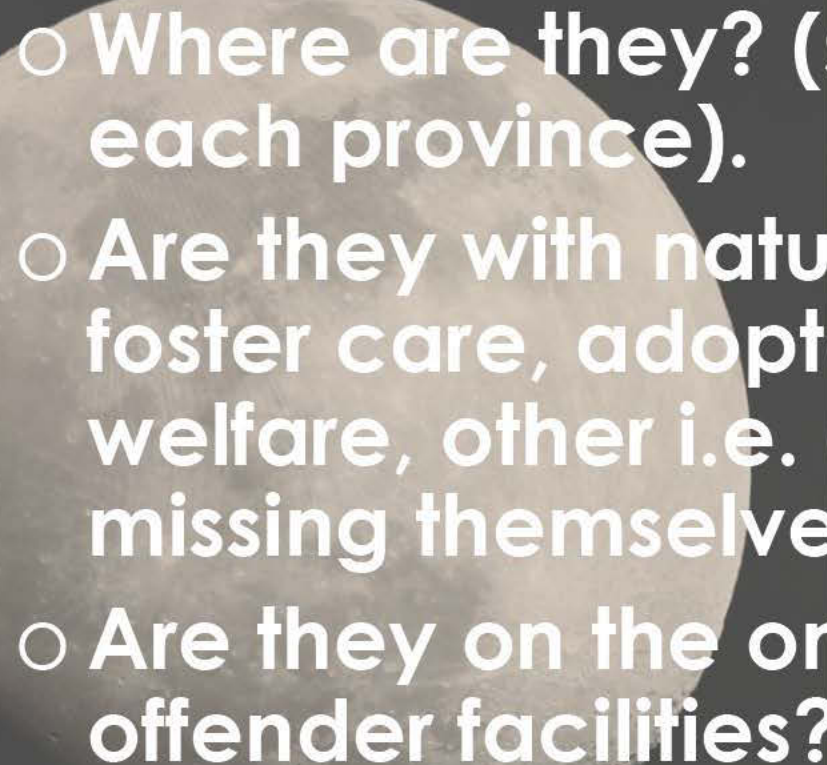
Full Wolf Moon - January

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- Mother loss is amongst the children of missing & murdered Aboriginal women.
 - Their voices and experiences are missing on this issue.

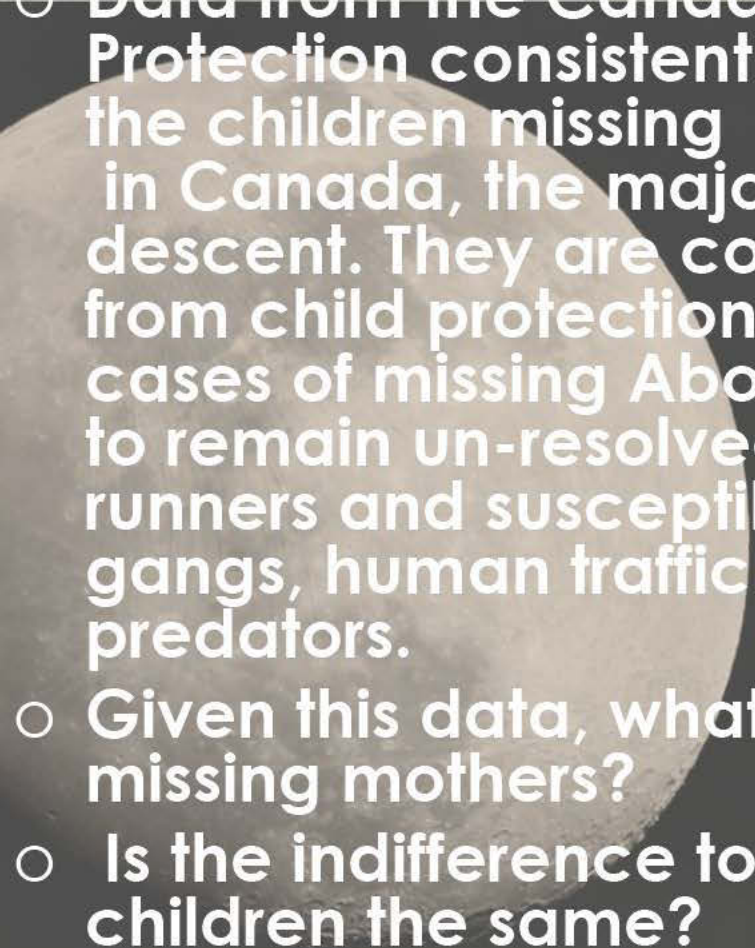
Full Snow Moon – February

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- How many children have these mothers left behind?
 - What are the numbers of children who are impacted?
 - How does this look like in each of the provinces?

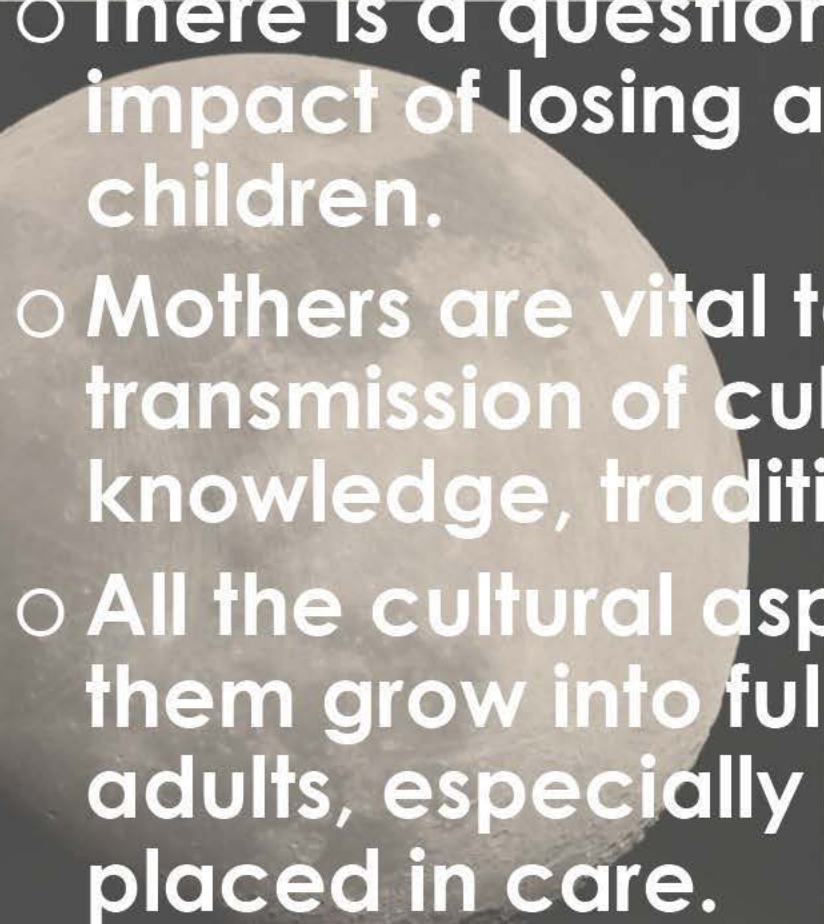
Full Worm Moon - March

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- Where are they? (specifically in each province).
 - Are they with natural family, in foster care, adopted, child welfare, other i.e. are they missing themselves?
 - Are they on the on run, in youth offender facilities?.


Full Pink Moon - April

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- Data from the Canadian Centre for Child Protection consistently shows that among the children missing in Canada, the majority are of Aboriginal descent. They are consistently running from child protection placements and the cases of missing Aboriginal children tend to remain un-resolved and they are repeat runners and susceptible to exploitation by gangs, human traffickers, and sexual predators.
 - Given this data, what is the connection to missing mothers?
 - Is the indifference to these missing children the same?

Full Flower Moon - May

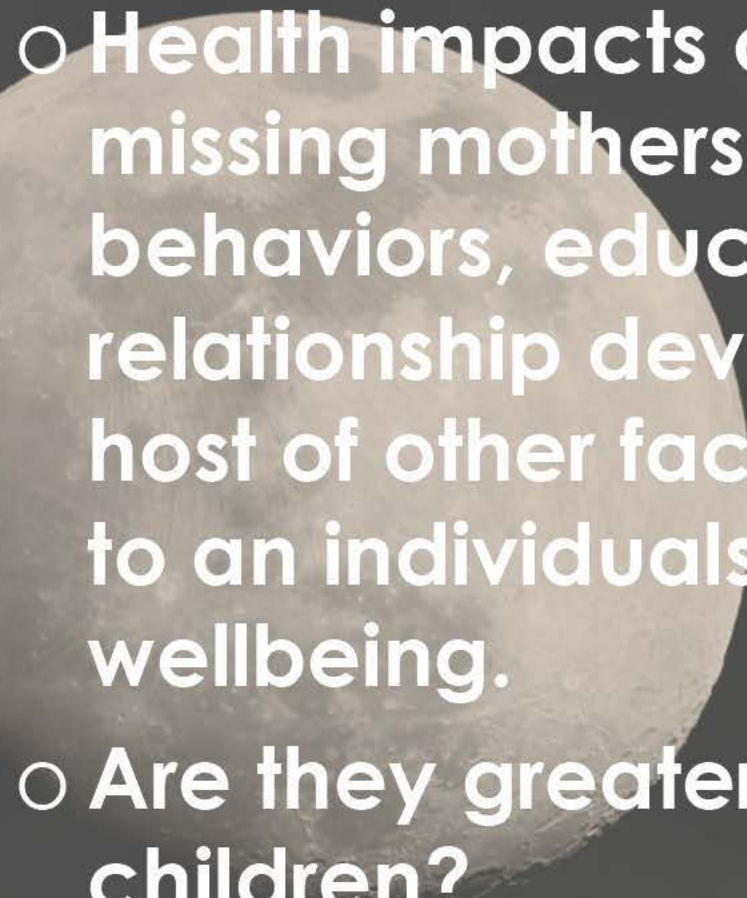
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- There is a question of the cultural impact of losing a mother on children.
 - Mothers are vital to the transmission of cultural identity, knowledge, traditions and being.
 - All the cultural aspects to help them grow into fully functioning adults, especially if they have placed in care.

Full Strawberry Moon – June



- Transitional life ceremonies, birth, adolescence, marriage, passing on to the spirit world.

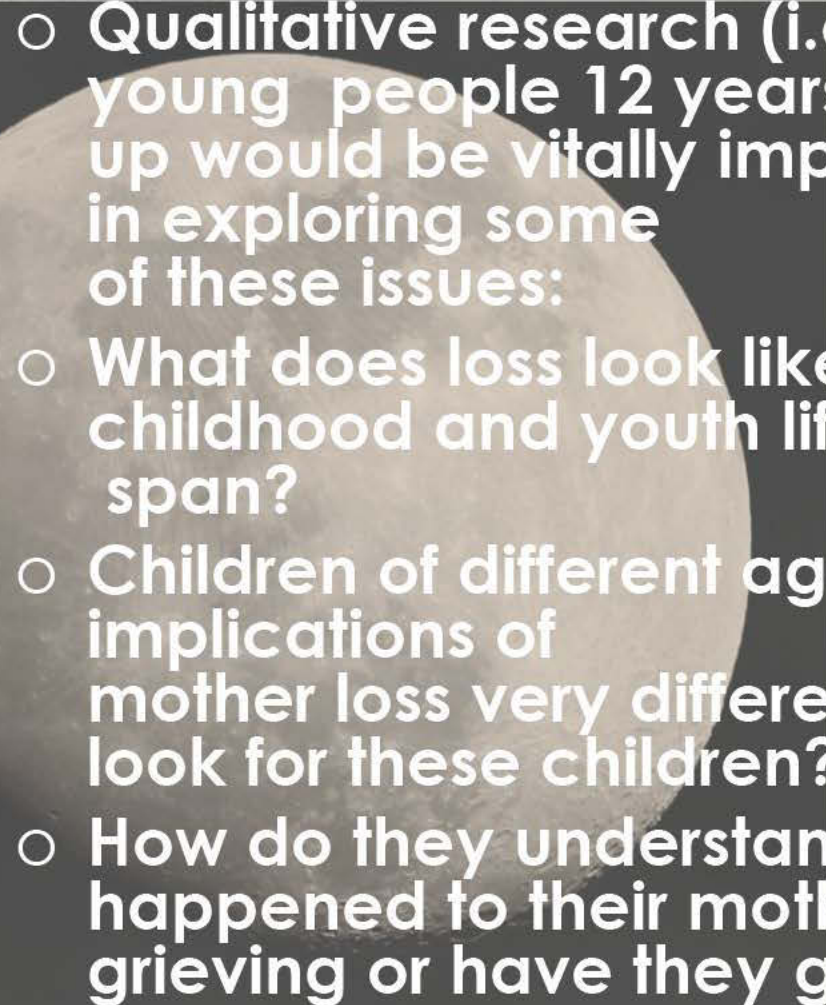
Full Buck Moon – July

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- Health impacts on children of missing mothers: look at eating behaviors, educational, relationship development and a host of other factors that are vital to an individual's overall wellbeing.
 - Are they greater than other children?

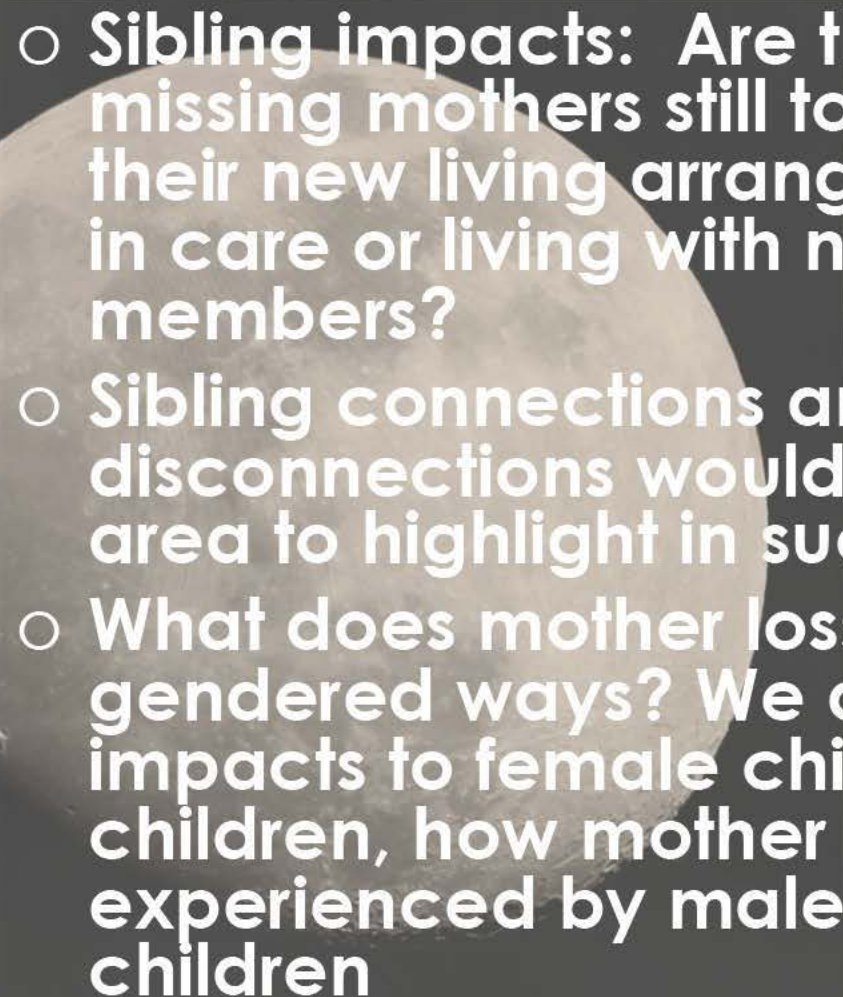
Full Sturgeon Moon - August

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- Consider exploring the loss of a mother on the development of their children: How does the loss of mother impact Aboriginal children nutritionally (especially if children are of tender years), emotionally, mentally, spiritually, and developmentally.

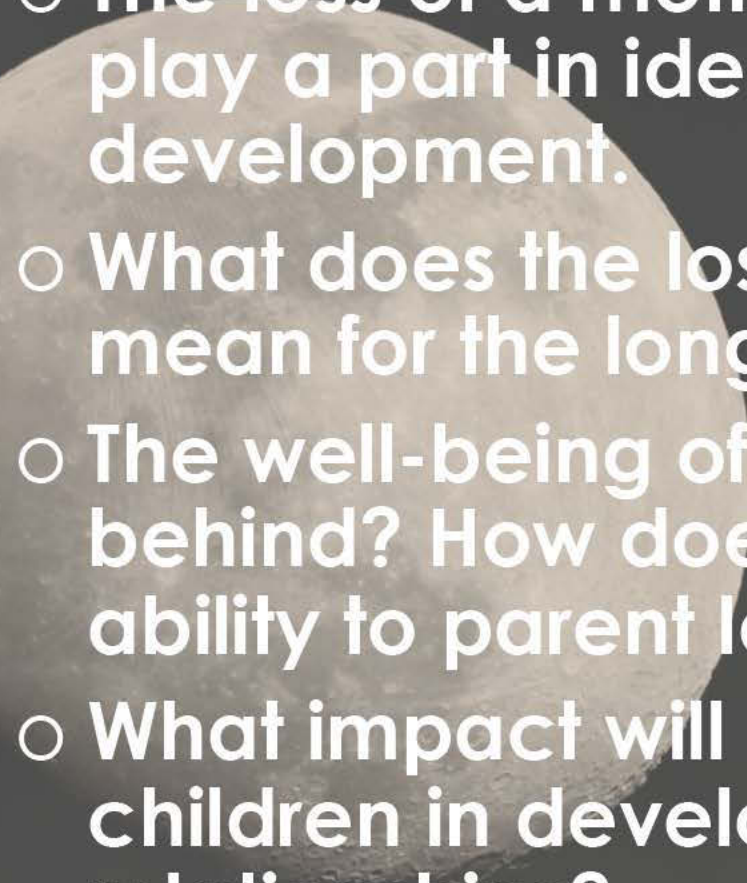
Full Corn Moon - September

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- Qualitative research (i.e. Interviews) with young people 12 years and up would be vitally important to undertake in exploring some of these issues:
 - What does loss look like across the childhood and youth life span?
 - Children of different ages understand the implications of mother loss very different - what does this look for these children?
 - How do they understand what has happened to their mothers, are they grieving or have they grieved?

Full Harvest Moon – October

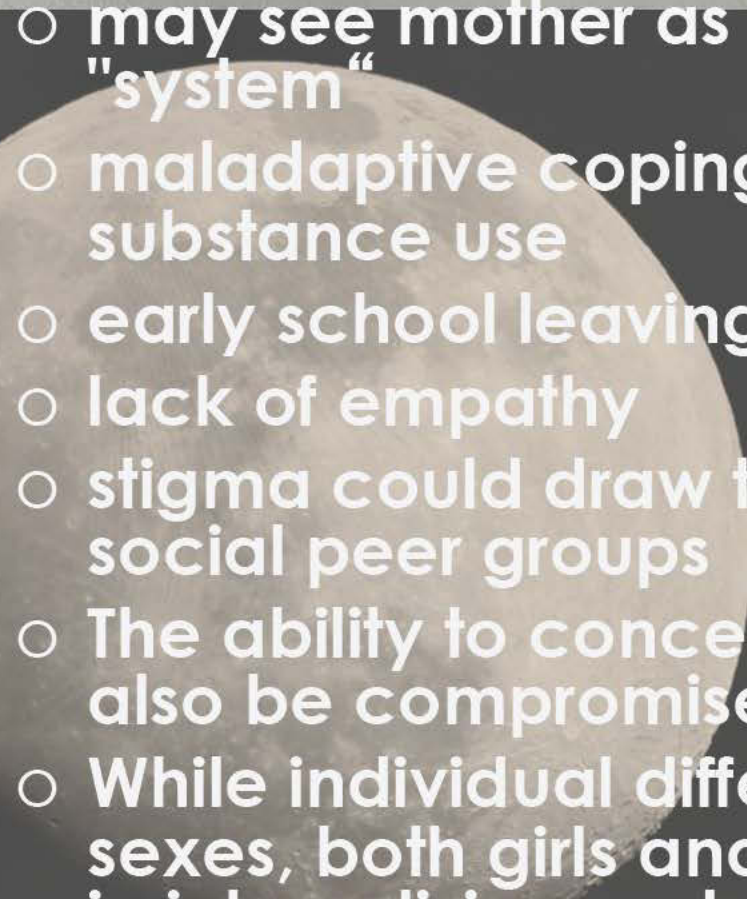
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- **Sibling impacts:** Are the children of missing mothers still together given their new living arrangements; whether in care or living with natural family members?
 - **Sibling connections and disconnections** would be important area to highlight in such research
 - **What does mother loss mean in gendered ways?** We do not know the impacts to female children versus male children, how mother loss is experienced by male versus female children

Full Beaver Moon - November

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- The loss of a mother would also play a part in identity / sexual development.
 - What does the loss of a mother mean for the long term?
 - The well-being of the children left behind? How does this impact their ability to parent later in life?
 - What impact will it have on these children in developing intimate relationships?

The Full Cold Moon or the Full Long Nights Moon - December

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- high rate of separation from siblings,
 - potential emotional reactions •
anger at mother/ anger at "system"
 - shame / stigma
 - avoidance / denial / blocking
 - guilt, s e l f - blame
 - sadness / loss / loneliness
 - confusion
 - understanding of Mother

- 
- may see mother as a victim of the "system"
 - maladaptive coping strategies such as substance use
 - early school leaving
 - lack of empathy
 - stigma could draw them towards anti-social peer groups
 - The ability to concentrate at school may also be compromised.
 - While individual differences exist within sexes, both girls and boys may engage in internalizing and externalizing behaviors.

Recommendations

- Family Impacts statement similar to victim impact statement,
- Child welfare systems cannot do this work alone,
- Start some dialogues in our communities about how best to support these children in ways that help them,
- Support programs for children,
- Sensitize delivers of child mental health services and child protection services,
- Interventions with youth should begin early and be family- based, focusing on Indigenous values, and the development of pro-social skills,
- Mentoring so as to provide a continuous presence in young peoples' lives,
- Personal safety education based on the developmental stages of children/youth as they age
- Families need support (advocates) to assist them in navigating the child welfare system,
- Continued qualitative and quantitative research.



The End

Meegwetch! Ekosi! Thank You! Merci!